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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,054	12/11/2003	Gary T. Krajecki	4111-00300	7843
30652	7590	03/30/2005	EXAMINER	
CONLEY ROSE, P.C. 5700 GRANITE PARKWAY, SUITE 330 PLANO, TX 75024			CHANG, YEAN HSI	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/733,054

Applicant(s)

KRAJECKI, GARY T.

Examiner

Yean-Hsi Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-9, 12-20 and 22 is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 6 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1, 3, 7, 15 and 19 are objected to because of the following informalities:
The "a chamber" on line 10 of claim 1, "a height and width" on line 2 of claim 3, and "an electronic device" on lines 4 and 8 of claim 7, and on line 4 of claims 15 and 19 may not use an "a" or "an" as an article if they refer to the same elements which have already been recited. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Crane, Jr. et al. (US 5,781,408).

Crane teaches an apparatus (110, 112 and 113, fig. 1) for forming a chamber enclosed on five sides (shown in figs. 1 and 3) adjacent a back surface (404) of an electronic device (100), the back surface having a height and width and having connections for cables, comprising: a cover (110, 112 and 113) having a horizontal top

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(110) and having vertical sides (112 and 113) extending down from the top, the top and sides having front and back edges (not labeled) defining opposed front and back openings (not labeled) of the cover, the front opening having a height and width about equal to the height and width (fig. 1), respectively, of the electronic device back surface, whereby when the electronic device is supported on a horizontal surface (120) and the cover is positioned on and supported by the horizontal surface adjacent the electronic device back surface, the cover defines the chamber enclosed on the top and sides by at least part of the cover, enclosed on the front by the electronic device back surface and enclosed on the bottom at least in part by the horizontal surface (as shown in fig. 1) (claim 1); wherein the cover back opening has a height and width about equal to the height and width, respectively, of the electronic device back surface (fig. 1) (claim 2); and wherein the cover back opening has a height about equal to the height of the electronic device back surface and has a width less than the width of the electronic device back surface (fig. 1) (claim 4).

Allowable Subject Matter

4. Claims 7-9, 12-20 and 22 are allowed.
5. Claims 3, 5-6 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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6. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Crane, Jr. et al. (US 5,781,408), Brightman et al. (US 5,417,012), Jedziniak (US 4,624,510), and Hoppal et al. (US 5,195,022), taken alone or in combination, fails to teach or fairly suggest: a cable cover for an electronic device, having horizontal top, two vertical sides extending from the top and a front opening being about equal to a back surface of the electronic device, that slides over the back surface of the electronic device as set forth in claims 3 and 12; said cable cover having horizontal flanges extending from lower edges of said sides of said cable cover as set forth in claim 6; said cable cover that is not structurally attached to an electronic device as set forth in claim 21; a one piece cable cover having a top, two sides and a front opening being about equal to a back surface of an electronic device, whereby when the cable cover is positioned adjacent the electronic device and the electronic device and cable cover are supported on the same generally flat surface, and the back surface of the electronic device encloses the front opening as set forth in claim 7; and a cable cover connected to an electronic device, formed by manually bending a sheet of material, and having an opening being about equal to a rear surface of the electronic device as set forth in claims 15 and 19. Claims 5, 8-9 and 22, 13-14, 16-18, and 20 are dependent claims from claims 3, 7, 12, 15, and 19, respectively.

Response to Arguments

7. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFax numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
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March 27, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER